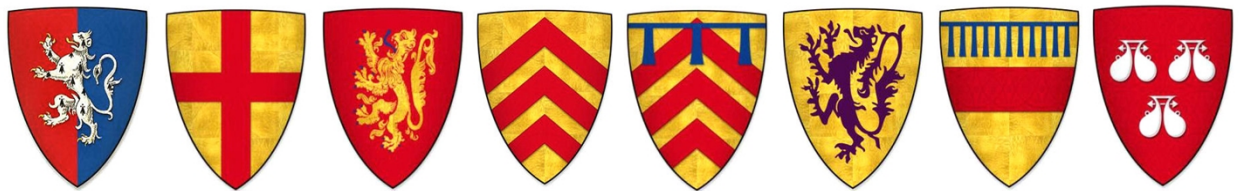


Magna Carta and the Eight Barons



claimed as ancestors of
Isabel Dutton,
wife of
Christopher de Southworth
Third Edition

Dr. Brian A. Smith, ©2025

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SOUTHWORTH TIES TO THE MAGNA CARTA

A story I encountered in more than one source while researching the Southworth family tells of the early 15th century marriage of ISABEL DUTTON, daughter of SIR THOMAS DUTTON and ANNE AUDLEY, to CHRISTOPHER DE SOUTHWORTH. As if to demonstrate the importance of the DUTTON lineage, her family claimed to be descendents of no less than *eight* of the twenty-five barons elected to insure that the terms of the Magna Carta were kept. Pictures and a history of Dutton Hall can be found at: <http://www.dunton.org/duttonhall/>. One can detect a bit of '*ISABEL is marrying below her station*' but whether that was the original intent or an addition by the recorders of the incident is not known. CHRISTOPHER and ISABEL had at least seven children: three daughters and four sons. CHRISTOPHER became the lord of Samlesbury, Mellor, and Southworth in 1467 and remained as such until his death in 1487. When CHRISTOPHER died, his heir John de Southworth had not reached his maturity yet and a regency was to oversee the holdings for the next seven years. ISABEL has been lost in the records unfortunately.



"The Signing of the Magna Carta" Albert Herter (1871 – 1950), 1915

North wall, Supreme Court Room, Madison Wisconsin Capitol Building.

This piqued my interest – did Isabel really count eight barons among her ancestors or was that merely a story meant to impress? If so, who were they?

The Magna Carta – everyone's heard of it, but what did it say? The original document was written in Latin as were the many versions that were reissued. What follows is a translation that sets out to convey the sense rather than the precise wording of the original of that important document.¹

JOHN,
by the grace of God King of England, Lord of Ireland,
Duke of Normandy and Aquitaine, and Count of Anjou

» to his archbishops, bishops, abbots, earls, barons, justices, foresters, sheriffs, stewards, servants, and to all his officials and loyal subjects, Greeting.

KNOW THAT BEFORE GOD, for the health of our soul and those of our ancestors and heirs, to the honour of God, the exaltation of the holy Church, and the better ordering of our kingdom, at the advice of our reverend fathers Stephen, archbishop of Canterbury, primate of all England, and cardinal of the holy Roman Church, Henry archbishop of Dublin, William bishop of London, Peter bishop of Winchester, Jocelin bishop of Bath and Glastonbury, Hugh bishop of Lincoln, Walter Bishop of Worcester, William bishop of Coventry, Benedict bishop of Rochester, Master Pandulf subdeacon and member of the papal household, Brother Aymeric master of the knighthood of the Temple in England, William Marshal earl of Pembroke, William earl of Salisbury, William earl of Warren, William earl of Arundel, Alan de Galloway constable of Scotland, Warin Fitz Gerald, Peter Fitz Herbert, Hubert de Burgh seneschal of Poitou, Hugh de Neville, Matthew Fitz Herbert, Thomas Basset, Alan Basset, Philip Daubeny, Robert de Roppeley, John Marshal, John Fitz Hugh, and other loyal subjects:

+ (1) FIRST, THAT WE HAVE GRANTED TO GOD, and by this present charter have confirmed for us and our heirs in perpetuity, that the English Church shall be free, and shall have its rights undiminished, and its liberties unimpaired. That we wish this so to be observed, appears from the fact that of our own free will, before the outbreak of the present dispute between us and our barons, we granted and confirmed by charter the freedom of the Church's elections - a right reckoned to be of the greatest necessity and importance to it - and caused this to be confirmed by Pope Innocent III. This freedom we shall observe ourselves, and desire to be observed in good faith by our heirs in perpetuity.

TO ALL FREE MEN OF OUR KINGDOM we have also granted, for us and our heirs for ever, all the liberties written out below, to have and to keep for them and their heirs, of us and our heirs:

(2) If any earl, baron, or other person that holds lands directly of the Crown, for military service, shall die, and at his death his heir shall be of full age and owe a 'relief', the heir shall have his inheritance on payment of the ancient scale of 'relief'. That is to say, the heir or heirs of an earl shall pay £100 for the entire earl's barony, the heir or heirs of a knight 100s. at most for the entire knight's 'fee', and any man that owes less shall pay less, in accordance with the ancient usage of 'fees'

(3) But if the heir of such a person is under age and a ward, when he comes of age he shall have his inheritance without 'relief' or fine.

(4) The guardian of the land of an heir who is under age shall take from it only reasonable revenues, customary dues, and feudal services. He shall do this without destruction or damage to men or property. If we have given the guardianship of the land to a sheriff, or to any person answerable to us for the revenues, and he commits destruction or damage, we will exact compensation from him, and the land shall be entrusted to two worthy and prudent men of the same 'fee', who shall be answerable to us for the revenues, or to the person to whom we have assigned them. If we have given or sold to anyone the guardianship of such land, and he causes destruction or damage, he shall lose the guardianship of it, and it shall be handed over to two worthy and prudent men of the same 'fee', who shall be similarly answerable to us.

(5) For so long as a guardian has guardianship of such land, he shall maintain the houses, parks, fish preserves, ponds, mills, and everything else pertaining to it, from the revenues of the land itself. When the heir comes of age, he shall restore the whole land to him, stocked with plough teams and such implements of husbandry as the season demands and the revenues from the land can reasonably bear.

(6) Heirs may be given in marriage, but not to someone of lower social standing. Before a marriage takes place, it shall be made known to the heir's next-of-kin.

(7) At her husband's death, a widow may have her marriage portion and inheritance at once and without trouble. She shall pay nothing for her dower, marriage portion, or any inheritance that she and her husband held jointly on the day of his death. She may remain in her husband's house for forty days after his death, and within this period her dower shall be assigned to her.

(8) No widow shall be compelled to marry, so long as she wishes to remain without a husband. But she must give security that she will not marry without royal consent, if she holds her lands of the Crown, or without the consent of whatever other lord she may hold them of.

(9) Neither we nor our officials will seize any land or rent in payment of a debt, so long as the debtor has movable goods sufficient to discharge the debt. A debtor's sureties shall not be distrained upon so long as the debtor himself can discharge his debt. If, for lack of means, the debtor is unable to discharge his debt, his sureties shall be answerable for it. If they so desire, they may have the debtor's lands and rents until they have received satisfaction for the debt that they paid for him, unless the debtor can show that he has settled his obligations to them.

(10) If anyone who has borrowed a sum of money from Jews dies before the debt has been repaid, his heir shall pay no interest on the debt for so long as he remains under age, irrespective of whom he holds his lands. If such a debt falls into the hands of the Crown, it will take nothing except the principal sum specified in the bond.

(11) If a man dies owing money to Jews, his wife may have her dower and pay nothing towards the debt from it. If he leaves children that are under age, their needs may also be provided for on a scale appropriate to the size of his holding of lands. The debt is to be paid out of the residue, reserving the service due to his feudal lords. Debts owed to persons other than Jews are to be dealt with similarly.

(12) No 'scutage' or 'aid' may be levied in our kingdom without its general consent, unless it is for the ransom of our person, to make our eldest son a knight, and (once) to marry our eldest daughter. For these purposes only a reasonable 'aid' may be levied. 'Aids' from the city of London are to be treated similarly.

+ (13) The city of London shall enjoy all its ancient liberties and free customs, both by land and by water. We also will and grant that all other cities, boroughs, towns, and ports shall enjoy all their liberties and free customs.

(14) To obtain the general consent of the realm for the assessment of an 'aid' - except in the three cases specified above - or a 'scutage', we will cause the archbishops, bishops, abbots, earls, and greater barons to be summoned individually by letter. To those who hold lands directly of us we will cause a general summons to be issued, through the sheriffs and other officials, to come together on a fixed day (of which at least forty days notice shall be given) and at a fixed place. In all letters of summons, the cause of the summons will be stated. When a summons has been issued, the business appointed for the day shall go forward in accordance with the resolution of those present, even if not all those who were summoned have appeared.

(15) In future we will allow no one to levy an 'aid' from his free men, except to ransom his person, to make his eldest son a knight, and (once) to marry his eldest daughter. For these purposes only a reasonable 'aid' may be levied.

(16) No man shall be forced to perform more service for a knight's 'fee', or other free holding of land, than is due from it.

(17) Ordinary lawsuits shall not follow the royal court around, but shall be held in a fixed place.

(18) Inquests of novel disseisin, mort d'ancestor, and darrein presentment shall be taken only in their proper county court. We ourselves, or in our absence abroad our chief justice, will send two justices to each county four times a year, and these justices, with four knights of the county elected by the county itself, shall hold the assizes in the county court, on the day and in the place where the court meets.

(19) If any assizes cannot be taken on the day of the county court, as many knights and freeholders shall afterwards remain behind, of those who have attended the court, as will suffice for the administration of justice, having regard to the volume of business to be done.

(20) For a trivial offence, a free man shall be fined only in proportion to the degree of his offence, and for a serious offence correspondingly, but not so heavily as to deprive him of his livelihood. In the same way, a merchant shall be spared his merchandise, and a villein the implements of his husbandry, if they fall upon the mercy of a royal court. None of these fines shall be imposed except by the assessment on oath of reputable men of the neighbourhood.

(21) Earls and barons shall be fined only by their equals, and in proportion to the gravity of their offence.

(22) A fine imposed upon the lay property of a clerk in holy orders shall be assessed upon the same principles, without reference to the value of his ecclesiastical benefice.

(23) No town or person shall be forced to build bridges over rivers except those with an ancient obligation to do so.

(24) No sheriff, constable, coroners, or other royal officials are to hold lawsuits that should be held by the royal justices.

(25) Every county, hundred, wapentake, and riding shall remain at its ancient rent, without increase, except the royal demesne manors.

(26) If at the death of a man who holds a lay 'fee' of the Crown, a sheriff or royal official produces royal letters patent of summons for a debt due to the Crown, it shall be lawful for them to seize and list movable goods found in the lay 'fee' of the dead man to the value of the debt, as assessed by worthy men. Nothing shall be removed until the whole debt is paid, when the residue shall be given over to the executors to carry out the dead man's will. If no debt is due to the Crown, all the movable goods shall be regarded as the property of the dead man, except the reasonable shares of his wife and children.

(27) If a free man dies intestate, his movable goods are to be distributed by his next-of-kin and friends, under the supervision of the Church. The rights of his debtors are to be preserved.

(28) No constable or other royal official shall take corn or other movable goods from any man without immediate payment, unless the seller voluntarily offers postponement of this.

(29) No constable may compel a knight to pay money for castle-guard if the knight is willing to undertake the guard in person, or with reasonable excuse to supply some other fit man to do it. A knight taken or sent on military service shall be excused from castle-guard for the period of this service.

(30) No sheriff, royal official, or other person shall take horses or carts for transport from any free man, without his consent.

(31) Neither we nor any royal official will take wood for our castle, or for any other purpose, without the consent of the owner.

(32) We will not keep the lands of people convicted of felony in our hand for longer than a year and a day, after which they shall be returned to the lords of the 'fees' concerned.

(33) All fish-weirs shall be removed from the Thames, the Medway, and throughout the whole of England, except on the sea coast.

(34) The writ called precipe shall not in future be issued to anyone in respect of any holding of land, if a free man could thereby be deprived of the right of trial in his own lord's court.

(35) There shall be standard measures of wine, ale, and corn (the London quarter), throughout the kingdom. There shall also be a standard width of dyed cloth, russet, and haberject, namely two ells within the selvedges. Weights are to be standardised similarly.

(36) In future nothing shall be paid or accepted for the issue of a writ of inquisition of life or limbs. It shall be given gratis, and not refused.

(37) If a man holds land of the Crown by 'fee-farm', 'socage', or 'burgage', and also holds land of someone else for knight's service, we will not have guardianship of his heir, nor of the land that belongs to the other person's 'fee', by virtue of the 'fee-farm', 'socage', or 'burgage', unless the 'fee-farm' owes knight's service. We will not have the guardianship of a man's heir, or of land that he holds of someone else, by reason of any small property that he may hold of the Crown for a service of knives, arrows, or the like.

(38) In future no official shall place a man on trial upon his own unsupported statement, without producing credible witnesses to the truth of it.

+ (39) No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any other way, nor will we proceed with force against him, or send others to do so, except by the lawful judgement of his equals or by the law of the land.

+ (40) To no one will we sell, to no one deny or delay right or justice.

(41) All merchants may enter or leave England unharmed and without fear, and may stay or travel within it, by land or water, for purposes of trade, free from all illegal exactions, in accordance with ancient and lawful customs. This, however, does not apply in time of war to merchants from a country that is at war with us. Any such merchants found in our country at the outbreak of war shall be detained without injury to their persons or property, until we or our chief justice have discovered how our own merchants are being treated in the country at war with us. If our own merchants are safe they shall be safe too.

(42) In future it shall be lawful for any man to leave and return to our kingdom unharmed and without fear, by land or water, preserving his allegiance to us, except in time of war, for some short period, for the common benefit of the realm. People that have been imprisoned or outlawed in accordance with the law of the land, people from a country that is at war with us, and merchants - who shall be dealt with as stated above - are excepted from this provision.

(43) If a man holds lands of any 'escheat' such as the 'honour' of Wallingford, Nottingham, Boulogne, Lancaster, or of other 'escheats' in our hand that are baronies, at his death his heir shall give us only the 'relief' and service that he would have made to the baron, had the barony been in the baron's hand. We will hold the 'escheat' in the same manner as the baron held it.

(44) People who live outside the forest need not in future appear before the royal justices of the forest in answer to general summonses, unless they are actually involved in proceedings or are sureties for someone who has been seized for a forest offence.

(45) We will appoint as justices, constables, sheriffs, or other officials, only men that know the law of the realm and are minded to keep it well.

(46) All barons who have founded abbeys, and have charters of English kings or ancient tenure as evidence of this, may have guardianship of them when there is no abbot, as is their due.

(47) All forests that have been created in our reign shall at once be disafforested. River-banks that have been enclosed in our reign shall be treated similarly.

(48) All evil customs relating to forests and warrens, foresters, warreners, sheriffs and their servants, or river-banks and their wardens, are at once to be investigated in every county by twelve sworn knights of the county, and within forty days of their enquiry the evil customs are to be abolished completely and irrevocably. But we, or our chief justice if we are not in England, are first to be informed.

(49) We will at once return all hostages and charters delivered up to us by Englishmen as security for peace or for loyal service.

(50) We will remove completely from their offices the kinsmen of Gerard de Athée, and in future they shall hold no offices in England. The people in question are Engelard de Cigogné, Peter, Guy, and Andrew de Chanceaux, Guy de Cigogné, Geoffrey de Martigny and his brothers, Philip Marc and his brothers, with Geoffrey his nephew, and all their followers.

(51) As soon as peace is restored, we will remove from the kingdom all the foreign knights, bowmen, their attendants, and the mercenaries that have come to it, to its harm, with horses and arms.

(52) To any man whom we have deprived or dispossessed of lands, castles, liberties, or rights, without the lawful judgment of his equals, we will at once restore these. In cases of dispute the matter shall be resolved by the judgment of the twenty-five barons referred to below in the clause for securing the peace. In cases, however, where a man was deprived or dispossessed of something without the lawful judgment of his equals by our father King Henry or our brother King Richard, and it remains in our hands or is held by others under our warranty, we shall have respite for the period commonly allowed to Crusaders, unless a lawsuit had been begun, or an enquiry had been made at our order, before we took the Cross as a Crusader. On our return from the Crusade, or if we abandon it, we will at once render justice in full.

(53) We shall have similar respite in rendering justice in connection with forests that are to be disafforested, or to remain forests, when these were first afforested by our father Henry or our brother Richard; with the guardianship of lands in another person's 'fee', when we have hitherto had this by virtue of a 'fee' held of us for knight's service by a third party; and with abbeys founded in another person's 'fee', in which the lord of the 'fee' claims to own a right. On our return from the Crusade, or if we abandon it, we will at once do full justice to complaints about these matters.

(54) No one shall be arrested or imprisoned on the appeal of a woman for the death of any person except her husband.

(55) All fines that have been given to us unjustly and against the law of the land, and all fines that we have exacted unjustly, shall be entirely remitted or the matter decided by a majority judgment of the twenty-five barons referred to below in the clause for securing the peace together with Stephen,

archbishop of Canterbury, if he can be present, and such others as he wishes to bring with him. If the archbishop cannot be present, proceedings shall continue without him, provided that if any of the twenty-five barons has been involved in a similar suit himself, his judgment shall be set aside, and someone else chosen and sworn in his place, as a substitute for the single occasion, by the rest of the twenty-five.

(56) If we have deprived or dispossessed any Welshmen of lands, liberties, or anything else in England or in Wales, without the lawful judgment of their equals, these are at once to be returned to them. A dispute on this point shall be determined in the Marches by the judgment of equals. English law shall apply to holdings of land in England, Welsh law to those in Wales, and the law of the Marches to those in the Marches. The Welsh shall treat us and ours in the same way.

(57) In cases where a Welshman was deprived or dispossessed of anything, without the lawful judgment of his equals, by our father King Henry or our brother King Richard, and it remains in our hands or is held by others under our warranty, we shall have respite for the period commonly allowed to Crusaders, unless a lawsuit had been begun, or an enquiry had been made at our order, before we took the Cross as a Crusader. But on our return from the Crusade, or if we abandon it, we will at once do full justice according to the laws of Wales and the said regions.

(58) We will at once return the son of Llywelyn, all Welsh hostages, and the charters delivered to us as security for the peace.

(59) With regard to the return of the sisters and hostages of Alexander, king of Scotland, his liberties and his rights, we will treat him in the same way as our other barons of England, unless it appears from the charters that we hold from his father William, formerly king of Scotland, that he should be treated otherwise. This matter shall be resolved by the judgment of his equals in our court.

(60) All these customs and liberties that we have granted shall be observed in our kingdom in so far as concerns our own relations with our subjects. Let all men of our kingdom, whether clergy or laymen, observe them similarly in their relations with their own men.

(61) SINCE WE HAVE GRANTED ALL THESE THINGS for God, for the better ordering of our kingdom, and to allay the discord that has arisen between us and our barons, and since we desire that they shall be enjoyed in their entirety, with lasting strength, forever, we give and grant to the barons the following security:

The barons shall elect twenty-five of their number to keep, and cause to be observed with all their might, the peace and liberties granted and confirmed to them by this charter.

If we, our chief justice, our officials, or any of our servants offend in any respect against any man, or transgress any of the articles of the peace or of this security, and the offence is made known to four of the said twenty-five barons, they shall come to us - or in our absence from the kingdom to the chief justice - to declare it and claim immediate redress. If we, or in our absence abroad the chief justice, make no redress within forty days, reckoning from the day on which the offence was declared to us or to him, the four barons shall refer the matter to the rest of the twenty-five barons, who may distrain upon and assail us in every way possible, with the support of the whole community of the land, by seizing our castles, lands, possessions, or anything else saving only our own person and those of the queen and our children, until they have secured such redress as they have determined upon. Having secured the redress, they may then resume their normal obedience to us.

Any man who so desires may take an oath to obey the commands of the twenty-five barons for the achievement of these ends, and to join with them in assailing us to the utmost of his power. We give public and free permission to take this oath to any man who so desires, and at no time will we prohibit any man from taking it. Indeed, we will compel any of our subjects who are unwilling to take it to swear it at our command.

If one of the twenty-five barons dies or leaves the country, or is prevented in any other way from discharging his duties, the rest of them shall choose another baron in his place, at their discretion, who shall be duly sworn in as they were.

In the event of disagreement among the twenty-five barons on any matter referred to them for decision, the verdict of the majority present shall have the same validity as a unanimous verdict of the whole twenty-five, whether these were all present or some of those summoned were unwilling or unable to appear.

The twenty-five barons shall swear to obey all the above articles faithfully, and shall cause them to be obeyed by others to the best of their power.

We will not seek to procure from anyone, either by our own efforts or those of a third party, anything by which any part of these concessions or liberties might be revoked or diminished. Should such a thing be procured, it shall be null and void and we will at no time make use of it, either ourselves or through a third party.

(62) We have remitted and pardoned fully to all men any ill-will, hurt, or grudges that have arisen between us and our subjects, whether clergy or laymen, since the beginning of the dispute. We have in addition remitted fully, and for our own part have also pardoned, to all clergy and laymen any offences committed as a result of the said dispute between Easter in the sixteenth year of our reign and the restoration of peace.

In addition we have caused letters patent to be made for the barons, bearing witness to this security and to the concessions set out above, over the seals of Stephen archbishop of Canterbury, Henry archbishop of Dublin, the other bishops named above, and Master Pandulf.

(63) IT IS ACCORDINGLY OUR WISH AND COMMAND that the English Church shall be free, and that men in our kingdom shall have and keep all these liberties, rights, and concessions, well and peaceably in their fullness and entirety for them and their heirs, of us and our heirs, in all things and all places for ever.

Both we and the barons have sworn that all this shall be observed in good faith and without deceit. Witness the above-mentioned people and many others.

Given by our hand in the meadow that is called Runnymede, between Windsor and Staines, on the fifteenth day of June in the seventeenth year of our reign.

John, King of England

WHY WAS THE MAGNA CARTA NEEDED?

The following discussion comes from the British Library:

As might be expected, the text of Magna Carta of 1215 bears many traces of haste, and is clearly the product of much bargaining and many hands. Most of its clauses deal with specific, and often long-standing, grievances rather than with general principles of law. Some of the grievances are self-explanatory: others can be understood only in the context of the feudal society in which they arose. Of a few clauses, the precise meaning is still a matter of argument.

In feudal society, the king's barons held their lands 'in fee' (feudum) from the king, for an oath to him of loyalty and obedience, and with the obligation to provide him with a fixed number of knights whenever these were required for military service. At first the barons provided the knights by dividing their estates (of which the largest and most important were known as 'honours') into smaller parcels described as 'knights' fees', which they distributed to tenants able to serve as knights. But by the time of King John it had become more convenient and usual for the obligation for service to be commuted for a cash payment known as 'scutage', and for the revenue so obtained to be used to maintain paid armies.

Besides military service, feudal custom allowed the king to make certain other exactions from his barons. In times of emergency, and on such special occasions as the marriage of his eldest daughter, he could demand from them a financial levy known as an 'aid' (auxilium).

When a baron died, he could demand a succession duty or relief (relevium) from the baron's heir. If there was no heir, or if the succession was disputed, the baron's lands could be forfeited or 'escheated' to the Crown. If the heir was under age, the king could assume the guardianship of his estates, and enjoy all the profits from them – even to the extent of despoliation – until the heir came of age.

The king had the right, if he chose, to sell such a guardianship to the highest bidder, and to sell the heir himself in marriage for such price as the value of his estates would command. The widows and daughters of barons might also be sold in marriage. With their own tenants, the barons could deal similarly.

The scope for extortion and abuse in this system, if it were not benevolently applied, was obviously great and had been the subject of complaint long before King John came to the throne. Abuses were, moreover, aggravated by the difficulty of obtaining redress for them, and in Magna Carta the provision of the means for obtaining a fair hearing of complaints, not only against the king and his agents but against lesser feudal lords, achieves corresponding importance.

About two-thirds of the clauses of Magna Carta of 1215 are concerned with matters such as these and with the misuse of their powers by royal officials.

As regards other topics, the first clause concedes freedom of the Church; debts are dealt with in §§9-11; the rights of the city of London are protected in §13; freedom of navigation on rivers is in §33; the rights of merchants §41; royal forests are covered in §§44, 47, and 48; the rest are the clauses that are usually found in agreements such as these.

William Marshall "the greatest knight" needs special notation here. He was appointed by Richard I to govern England in his absence on Crusade and he became a supporter of John. His son was one of the Suretors and two of his daughters were ancestors of Isabel.

WAS ISABEL DUTTON DESCENDED FROM EIGHT BARONS SURETORS?

In §61, twenty-five barons were to be elected by the baronage whose purpose was *to keep, and cause to be observed with all their might, the peace and liberties granted and confirmed to them by this charter.*

The DUTTONS might be braggarts, after all two of the claimed Barons were sons of two of the other Barons, but were they honest? Did they descend from eight of the barons, even if two were sons of two others? The title following the name is one known to be applicable in 1216 though many would hold more significant titles in the future. ISABEL's alleged ancestors were:

WILLIAM III D'ALBINI, LORD OF BELVOIR;

SIR ROGER LE BIGOD, 2nd Earl of Norfolk; and his son:

SIR HUGH LE BIGOD;

SIR RICHARD DE CLARE, 3rd EARL OF HERTFORD; and his son:

SIR GILBERT DE CLARE, LORD OF HARFLEUR;

JOHN DE LACEY, KEEPER OF DUNINTON CASTLE

SIR SAHER DE QUINCY, 1st EARL OF WINCHESTER

SIR ROBERT DE ROS, LORD OF HELMSLEY

THE BARONS

Besides the obvious father-son relationship of the DE CLARES and BIGODS, the following Barons were related: WILLIAM D'ALBINI was uncle to ROBERT DE ROS; WILLIAM was also related to the BIGOD family. JOHN DE LACEY's wife MARGARET was the daughter of ROGER DE QUINCY and therefore a granddaughter of SAHER DE QUINCY

So who were these eight men and why were they involved? To answer this we turn to a couple sources: Professor Nigel Saul of the University of London is the primary source, specifically his *Baronial Order of Magna Carta*.² Burke's *Armorial* from 1884 was consulted for the Coats-of-Arms.³ The arms illustrated are those that were in possession of the subject in 1215. *Profiles of Magna Carta Sureties* from the *Baronial Order of Magna Carta* website provided confirmation and additions as did the website of author Elizabeth Chadwick.^{4 5}

According to Professor Saul "The committee of Twenty Five were a group of barons in the forefront of the opposition to KING JOHN who were entrusted by the terms" of §61 of Magna Carta to ensure the king's compliance with its terms and became known as the *Suretors* or *Guarantors*.

From the outset, the opposition barons had been aware of the danger that, once KING JOHN had left Runnymede, he would renege on the Charter on the grounds that it constituted an illegitimate infringement of his authority. The barons came up with a novel solution to the problem in the famous §61, the security clause. In this, KING JOHN conceded that '*the barons shall choose any twenty-five barons of the realm as they wish, who with all their might are to observe, maintain and cause to be observed the peace and liberties which we have granted*'. Any infringement of the charter's terms by the king or his officials

was to be notified to any four of the committee; and, if within forty days no remedy or redress had been offered, then the king was to empower the full committee to *‘distrain and distress us in every way they can, namely by seizing castles, lands and possessions’* until he made amends. In this remarkable clause, then, the charter introduced the novelty of obliging the king to sanction and institute armed action against none other than himself. The means by which they sought to achieve this was use of the common law doctrine of distraint, the means by which debts were collected from debtors and malefactors obliged to answer for their actions in court.

Since the clause anticipated the election of the twenty-five at some time in the future, their names are not actually listed in the charter. Consequently, the committee’s composition is known principally from the list given later in his chronicle by MATTHEW PARIS, the celebrated chronicler of St Albans Abbey (Hertfordshire). The twenty five, with known title dating to 1216, were:

SIR RICHARD DE CLARE, Earl of Hertford	WILLIAM MALET;
WILLIAM HARDELL, Lord Mayor of London;	SIR HUGH LE BIGOD;
HENRY DE BOHUN, Earl of Hereford;	WILLIAM DE LANVALLEI;
ROBERT DE VERE, Earl of Oxford;	ROGER DE MONTBEGON;
SIR GILBERT DE CLARE; Lord of Harfleur;	ROBERT FITZWALTER;
SIR SAHER DE QUINCY, Earl of Winchester;	EUSTACE DE VESCI;
SIR ROGER LE BIGOD, Earl of Norfolk;	WILLIAM DE MOWBRAY;
SIR ROBERT DE ROS, Lord of Helmsley;	RICHARD DE PERCY;
JOHN DE LACY, Keeper of Duninton Castle;	JOHN FITZROBERT;
WILLIAM DE FORS, Count of Aumale;	RICHARD DE MUNFICHET;
WILLIAM MARSHAL JUNIOR;	WILLIAM DE HUNTINGFIELD;
WILLIAM D’ALBINI, Lord of Belvoir;	GEOFFREY DE SAY; and
GEOFFREY DE MANDEVILLE, Earl of Gloucester.	

It is noteworthy that these men were all lay folk, and for the most part members of the hard-line baronial opposition to the king. No bishop or other Churchman appears, not even, for example, Giles de Braose, bishop of Hereford, who had long been hostile to John. The committee was seen in clear terms as a committee of enforcers, a group whose main responsibilities were to be of a military nature.

When Henry III ascended the throne in October 1216, he reissued Magna Carta with the security clause, §61, eliminated. A short biography for each baron who was an ancestor of Isabel follows.

WILLIAM III D'ALBINI (>1150 – 1237) Lord of Belvoir



Sometimes named as William II d'Albini and/or as William III d'Aubigny.

Sources differ on whether or not William d'Aubigny and William d'Albini were in fact the same person. Apparently they were, and they were not. As fate would have it, there were two men named or known as William d'Aubigny and prominent in 1215. This is illustrated in Armoriais where one coat-of-arms is described for William d'Albini, Lord of Belvoir, while a wholly different is attributed to William d'Aubigny, 3rd Earl of Arundel. The Earls of Arundel were based at Old Buckenham in Norfolk and in Sussex at Arundel with the then current Earl being a favorite of King John. Lord Belvoir, from Leicestershire, certainly was not counted among the favorites of King John. Ironically, the son-in-law of William d'Aubigny, 3rd Earl of Arundel, was William de Mowbray, one of the Suretors of Magna Carta.

Whether d'Albini and d'Aubigny were correct and acceptable forms of the same surname is not certain; they probably were related but the connection has yet to be made. One other variation found is in the numbering – was it William II or William III d'Albini? Since William's parents are stated to be William II d'Albini and Maud de Senlis, daughter of Robert de Clare, William III makes the most sense.

William married twice: first to Margaret de Umfreville, daughter of Odinel de Umfreville of Prudhoe in Northumberland; she died sometime before 1198. William then married Agatha Trussebut, daughter and eventual co-heiress of William Trussebut of Hunsingore in Yorkshire.

In addition to being the lord of Belvoir, William held over 30 more lordships including those of Bottesford, also in Leicestershire; of Uffington, Woolsthorpe, and Wyville in Lincolnshire; of Stoke Albany in Northamptonshire; of Orston of Nottinghamshire and sources merely state "et cetera" for the rest of his holdings. He served as sheriff for several locales including Rutland, Bedfordshire, Buckinghamshire, Warwickshire, and Leicestershire. He was one of the ablest commanders of the baronial opposition to the king, holding Rochester Castle for the barons.

During the First Baron's War, the king laid siege to Rochester and to the royal manor at Belvoir which was defended by William's son Nicholas. Nicholas surrendered Belvoir after the king threatened to starve William if the garrison continued to resist. William was holed up in the keep at Rochester Castle which capitulated on 30 November 1215 due to starvation. In July 1216, partly through the good offices of his wife, William agreed terms with the king, offering a ransom of 6000 marks. With Henry III's accession at the end of October 1216, William was released after his wife Agatha offered herself as a substitute hostage. William supported the king at the Battle of Lincoln on 20 May 1217, serving as one of his commanders.

William died on 1 May 1236 at his manor of Uffington, near Stamford in Lincolnshire.

SIR ROGER LE BIGOD, 2nd Earl of Norfolk (<1140 – 1221) & **SIR HUGH LE BIGOD** (c1180 – 1225)



The Bigods were a major East Anglian landowning family, based at Framlingham in Suffolk, who had held the earldom of Norfolk since its grant to Hugh Bigod in 1140. Roger was the only son of this Hugh by his first wife, Juliana de Vere.

Hugh joined the rebellion of Henry the Young King against Henry II in 1173 – 1174. Though Roger opposed his father and remained loyal to Henry, it was he who paid the price,

being barred from acceding to the earldom and the handsome income it generated. He also lost the control and income from much of rest of the family lands following a challenge to his inheritance being filed by his step-mother. In such situations, the king can exercise his right to insure the lands in question remain productive by retaining them, which Henry II did. Though partially settled in 1181, the inheritance would not be resolved until the accession of Richard I in 1189. Roger came into his title and the earldom, with its substantial income soon thereafter. He continued as a royal supporter with Richard I and John and held many titles including Hereditary Steward of the Household, Privy Councillor, Keeper of Hertford Castle, Warden of Romford Forest, and Judge in the King's Court. He was knighted at some point.

Roger married Ida de Tosny, very likely a daughter of Ralph V de Tosny and his wife Margaret, the daughter of Robert de Beaumont. With the death of her father in 1162, Ida became a ward of the king (despite her mother being very much alive). Ten years later Ida was the mistress of Henry II and they had a son together. Once again her warden, Henry gave Ida to Roger in 1181 with a dowry of several manors that he had retained for four years due to the aforementioned litigation, undoubtedly much to the displeasure of his stepmother and half-brothers. They had at least eight children.

In 1215 Hugh Bigod was the heir of Roger but held no titles or land of his own. He was married to Maud Marshal, the eldest daughter of William Marshal, 4th Earl of Pembroke, by 1207. Maud was co-heiress to her father's large estate but that would not be realized until 1219 and Hugh did not inherit his father's titles and land until 1221. It is from this union that the hereditary royal office of Earl Marshal was created. His coat-of-arms (above right) are those found in documents from 1215; in 1221 he inherited the arms of his father (above left). Hugh died suddenly and unexpectedly after just four years as the 3rd Earl of Norfolk. His tomb, and all the Bigod tombs, at Thetford Priory were destroyed under Tudor rule.

Roger and Hugh went over to the Baron's side in 1215 when payments in lieu of military service demanded by the king had begun to threaten the entire estate with forfeiture. Roger and his eldest son Hugh stood at the head of the East Anglian barons but lost their main castle at Framlingham, as well as Hugh's son, to the king in March 1216. They pledged allegiance to Louis, Dauphin of France and once obligated, would not turn their allegiance to England until Louis had released them. In September 1217 all titles were restored followed by full restitution of all lands by April 1218.



SIR RICHARD DE CLARE, 3rd Earl of Hertford (c1155 – 1217) &

SIR GILBERT DE CLARE, Lord of Harfleur (c1180 – 1230)

The de Clares were one of the great baronial families of 12th & 13th century England, holding wide estates in Normandy and England. Richard's uncle Gilbert II became the 1st Earl of Hertford around 1138, followed by his father Roger as 2nd Earl. They were also the Earls of Clare with Richard being the 6th. Richard, though head of the family for four decades, kept a low profile on the national stage, emerging only in the final years of John's reign when he was appointed as one of the Barons chosen to enforce the terms of Magna Carta.



Richard married Amicia, second daughter and eventual sole heiress of William, earl of Gloucester. The Gloucester inheritance was a vast one, comprising over 260 knights' fees in England and extensive lands in Wales and the Marches. It was divided between the middle daughter Amicia and her two sisters: Mabel, the eldest, wife of Amaury de Montfort, count of Evreux in Normandy and Isabel, the youngest, wife of the future King John. Eventually the vast Gloucester inheritance was settled on Gilbert de Clare, Richard and Amicia's son. Richard and Amicia were separated by order of the Pope in 1198 on grounds of consanguinity but the separation did not last and eventually they obtained some sort of retraction from the Pope. Richard died at the

end of the First Barons War and was buried in the Abbey Church of St Mary the Virgin at Tewkesbury in Gloucestershire, commonly called Tewkesbury Abbey. Countess Amicia outlived her husband by just three years. After dying in 1220, she was buried at Tewkesbury Abbey. Their monuments have been lost.

Gilbert held the lordships of Harfleur and Mostrevilliers in Normandy since 1202. During the First Barons War he fought for Louis of France in the Battle of Lincoln where he was taken prisoner on 20 May 1217 by William Marshal, 4th Earl of Pembroke. Five months later he married his captors second daughter Isabel on her 17th birthday. Isabel was the younger sister of Maud who had married Hugh Bigod ten years earlier.



Gilbert was the heir of his parents, as shown at right by the blue bar in his arms of 1216, which would bear fruit soon after the death of King John. Upon his father's death in 1217 he became the 7th Earl of Clare and 4th Earl of Hertford. His mother's inheritance was being finalized at the same time with Gilbert inheriting the vast Gloucester estate after it had been consolidated into a single inheritance as his mother became the sole living beneficiary of William of Gloucester. Gilbert was created the 1st Earl of Gloucester (4th creation) but is commonly referred to as the 5th Earl of Gloucester.

In 1230 he accompanied Henry III on his expedition to Brittany, but died on the way back at Penros, in the duchy. The earl was buried before the high altar at Tewkesbury Abbey but the monument has been lost.

His wealthy, young, widow Isabel, only 30, remarried in 1231. Her second husband was Richard of Cornwall, the 22-year-old, second son of King John. When she died in 1240, Richard had her heart sent back to Tewkesbury Abbey to be buried with her first husband Gilbert de Clare.

JOHN DE LACY (c1192 – 1240), Keeper of Duninton Castle



He should have been the lord of Pontefract, in Yorkshire; Naseby, in Northamptonshire; and Hatton, in Cheshire, by 1216 but this is the reason he sided with the Barons. Theoretically he also held the post of Hereditary Constable of Chester but seeing that such an appointment is dated 1237, it's unclear if he was actually in this position in 1216. John was a member of one of the oldest, wealthiest and most important baronial families of 12th & 13th-century England, with territorial interests distributed widely across the counties of the north Midlands and north.

Turning to one of the sources, John was “the eldest son and heir of Roger de Lacy, constable of Chester (d. 1211) and his wife, Maud de Clere. He was a minor at the time of his father’s death and did not enter into possession of his lands until September 1213. Like a number of the rebels, he was a young man at the time that he became involved in the revolt. Although a royalist bent is suggested by his decision to join John on his expedition to Poitou in 1214, he nurtured a sense of grievance against the king owing to the terms on which he was granted possession of his father’s estates. The de Lacy inheritance was a highly valuable one, comprising more than a hundred knights’ fees, together with the baronies of Pontefract (Yorks.), and Clitheroe, Penwortham, Widnes and Halton (Lancs.). John, when he permitted the young heir to enter, therefore exacted his price. He insisted that the latter offer a massive fine of 7000 marks repayable over three years, in the meantime handing over to a royal keeper his chief castles of Pontefract (Yorks.) and Castle Donington (Leics.), to be garrisoned by the king at Lacy’s expense on pain of confiscation should the latter rebel.”

The failed *expedition to Poitou* in 1214 saw the French forces dominate the field and is a leading factor in the Baron’s revolt. He took the Cross for the Crusade with King John as part of the Papal negotiations of 1214 but nothing came of that; he did participate in the 5th Crusade of 1219 – 1220.

But he was not a steadfast ally of either side for almost immediately following the signing of the Magna Carta John submitted to the king on New Year’s Day 1216. This *submission* included his renouncement of the cause for which he had been fighting: “*If I have sworn an oath to the king’s enemies, then I will not hold to it, nor will I adhere in any way to the charter of liberties which the lord king has granted in common to the barons of England and which the lord pope has annulled.*” He readily submitted to the new King, Henry II, in August 1217.

He married Alice, daughter of Gilbert de l’Aigle in 1214 and they had a daughter named Joan. Alice died in 1216. His second wife was Margaret de Quincy, daughter of Roger de Quincy and Hawsey de Mechines who received the earldom of Lincoln from her brother with John becoming 2nd Earl of Lincoln in 1232. Roger’s father was Saher de Quincy, 1st Earl of Winchester – another of the baronial ancestors of Isabel Dutton (*see following*). They married in 1221 and had a daughter Maud and a son Edmund, the heir apparent who predeceased his mother.

John died on 22 July 1240 and was buried near his father in the choir of the Cistercian Stanlow Abbey in Cheshire, though his bones and those of his father and son accompanied the monks to Whalley Abbey when they moved in the 1296. Margaret married in 1242 Walter Marshal, 5th Earl of Pembroke and Earl Marshal of England. Margaret died in 1266 and was buried in the Hospitallers’ church at Clerkenwell, London. Her grandson Henry de Lacy was her heir, bypassing her daughter.

SIR SAHER DE QUINCY, 1st Earl of Winchester (c1150 – 1219)

The Arms at right were the ones he used at the signing and are found in stained glass in the Winchester Great Hall.

Saher de Quincy, son of Robert and Matilda de Senlis, was the great-grandson of Maud of Northumbria and Huntingdon, Queen consort David I, King of Scotland. However the de Quincy descendants are not related to the king as they were Maud's children from her first marriage to Simon de Senlis. However they are descendents of Robert I, Duke of Normandy through his daughter Adelaide. Duke Robert's more famous offspring was started life as William the Bastard, became the Duke of Normandy and ended life as the King of England.



Saher married Margaret de Beaumont (d.1235), daughter of Robert, earl of Leicester (d. 1190). When her brother, also named Robert, died without a legal heir in 1204, she received valuable and extensive lands in the English Midlands pursuant to the terms of the 1207 partition agreement.

In addition to being made 1st Earl of Winchester in 1207, Saher held several other positions: Steward to the King, 1205-07; Judge in the King's Court, 1211, 1213-14; Keeper of Canford and Hedingham Castles, 1214; and Constable of Fotherinhay Castle, 1215. He held the manors of Grantchester, in Cambridgeshire; of Eynesbury and Keyston in Huntingdonshire; of Long Buckby in Northamptonshire; of Bradenham in Suffolk; and three inherited from his father when Robert de Quincy died in 1197 in the East Lothian area of Scotland – Leuchars, Fife and Tranent.

In 1202 and 1203 he served with King John in Normandy, being appointed with Robert FitzWalter joint castellan of the strategic Norman stronghold of Vaudreuil. In the spring of 1203 the pair, offering no resistance, surrendered the castle to King Philip of France, who was then over-running Normandy, and John in disgust refused to contribute to their ransom. He was a commander in King John's army in Ireland in 1210 and served as Ambassador to Emperor Otto IV in 1212.

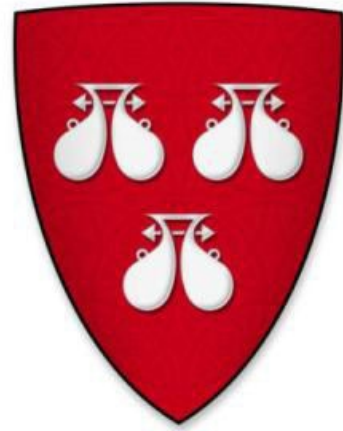
But he had unresolved grievances relating to properties of which he felt he had been deprived, notably Mountsorrel castle in Leicestershire, a part of his wife's inheritance that King John had denied him.

Not a King's man by 1216, he was sent to France with the earl of Hereford, Robert FitzWalter, to seek assistance and offer the English crown to King Philip's son Louis; he fought for Louis of France in the Battle of Lincoln where he was taken prisoner on 20 May 1217 being released in September. He went on to play a respectable part in the Minority government of Henry III.

He, like his grandson-in-law John de Lacy, joined the 5th Crusade in 1219 but he died from illness on 3 November 1219 in Egypt while on route to Acre; he was buried at Acre and the ashes of his organs returned to England for interment at Garendon Abbey in Leicestershire.

SIR ROBERT DE ROS, Lord of Helmsley (c1171 – 1227)

Robert, from the village of Roos in Yorkshire, inherited the barony of Helmsley, or at least the rights to it, at the age of 2 when his father Everard died in 1184. The accompanying title was Lord of Helmsley, not Baron as that title was created for his great-grandson William de Ros in 1299. At the same time he inherited the rights to the barony of Wark on Tweed in Northumberland.



In 1191 he married Isabel Mac William, the widow of Robert III de Brus. Isabel was one of the five illegitimate children William I, King of Scotland had with Isabel d'Avenel before he married. William the Lion enjoyed one of the longest reigns in Scottish history, from 1165 to 1214. Robert and Isabel had two sons: William, whose grandson of the same name became the 1st Baron Hemlsley in 1299; and Robert, Chief Justice of the Kings Bench, whom inherited the barony of Wark on Tweed.

Robert became the hereditary bailiff and castellan of Bonneville-sur-Touques in Normandy when his mother Roese, daughter of William Trussebut, died in 1194. Understandably, he fought at King John's side in the defense of Normandy in 1203. Tensions with the king become evident starting in 1205 when John seized his lands which were soon returned in exchange for their younger son.

He fell in and out with the king over the next decade and he was one of the witnesses to the *Bulla Aurea* of 1213 in which John surrendered the kingdom to Pope Innocent III for a feudal service of 1,000 marks. Robert forfeited his lands when he sided with the Barons when war broke out. Robert submitted to the new government under Henry II and recovered most of his lands.

He retired to a monastery by 1226 and became a Knights Templar. He died either in that year or early in 1227 and, according to Professor Saul, was buried in the Temple Church in London though the Temple's website does not include him in their list of burials.

BUT, IS THE STORY TRUE?

When this story first saw the light of day is not known, but ISABEL married CHRISTOPHER DE SOUTHWORTH on 11 July 1463. England was small and the farther north you traveled, the smaller it got. The Barons were known to and by everyone and for good reason, they were related to every other Baron in the area. This was the era of blazons and coats-of-arms and families jealously protected theirs. The pilfering of a Coat-of-Arms was a common enough occurrence that there steps to take to uncover if that happened to you. One way was to register yours with the College of Arms. This written record was available for all to consult and see not only what Arms are being registered, but in what County are they being registered. And each entry came with a lineage that, ideally, took the ownership of the Arms up the family tree until you reached the person who was the original owner. As families grew over the generations, the senior branch would hold the original Arms while junior or cadet branches may display a version of the original – the colors might be changed or a symbol placed on the shield. There were symbols that informed the viewer just how far away your branch of the family was from the senior branch. An upturned crescent meant your branch was from the second son while a simple ring meant the Arms belonged to the fifth son. Because of this dedication to making sure every person was kept in their place, and knew that your place was higher than theirs, there was an intense fascination with your ancestors – and everybody else's. A Baron was nice, but an Earl nicer when it came to who you were going to give those daughters you had away – which family was the better deal? The one with an ancient history and rock-star lineage but land-poor or a nouveau-riche family on the make and in good with the monarch? The ancient lineage was better socially so your daughter better be young and beautiful. The nouveau-riche lineage was better financially and since a marriage into your own prestigious family was a feather in their cap, not yours, they could have one of the older, less attractive daughters. This made everyone keep up on not only their own family, but on every family in their social circle. As such, if someone made a false claim, if they weren't called-out on it immediately, they soon would be.

As mentioned, northern England was small and familiar, almost to the point of being inbred. Any family that had a local presence for any length of time stood a good chance to be able to make the exact same, if not better, claim. CHRISTOPHER DE SOUTHWORTH probably descends from some of the twenty-five Barons. I have only researched the Barons named and have found no DE SOUTHWORTH connection but I would not be surprised if there were links to some of the other Barons.

What is telling is that the story involves being an heiress to those champions of the people – the people of the noble class that is. They were the Barons who kept the King in check and made sure he did not curtail their power or their wealth. It would seem that the story would have more cache by stating that she was a direct descendant of thirteen kings. But that is not the story that was told.

Genealogy

CHARTS FOR THE

Barons

The following four charts give the bare-boned lineage beginning with Isabel and going back in time to each of the eight Barons. Only the name of the person in each later generation through which the direct line between the Isabel and the Baron passes is named; there are no dates and no spouses, unless both contributed a different direct line. The maiden name of each female is given as Isabel (*Dutton*) Southworth. The data for each person is readily available online for those wishing to delve deeper into the persons named. Saher de Quincy's connections to Isabel are so multifaceted that a fifth chart is presented with the chronology reversed when compared to the others. It begins with Saher and moves forward in time to Isabel and it is the last chart in this section.

Isabel Dutton

Anne Margaret (*de Audley*) de Dutton

Thomas Touchet de Audley

Margaret (*de Ros*) Touchet

William de Ros

Thomas de Ros

William de Ros

/William de Ros\

Robert de Ros-----*married*----Isabel (*d'Albini*) de Ros

William de Ros

William IV d'Albini

Robert de Ros "Fursan"

Isabel de Dutton

Anne Margaret (*Touchet*) Dutton

/Eleanor (*de Holland*) Touchet\

Edmund Holland-----*married*-----Constance (*de Langley*) le Despenser of York

Thomas Holland

Elizabeth (*de Burghersh*) le Despenser

Thomas Holland

Bartholomew II de Burghersh

Maud (*La Zouche*) Holland

Elizabeth (*de Verdun*) de Burghersh

Eleanor (*de Seagrav*) La Zouche

Theobald II de Verdun

Matilda (*de Lacey*) de Seagrave

Theobald I de Verdun

John de Lacey

Margery (*de Lacey*) de Verdun

Isabel (*le Bigod*) de Lacey

Hugh le Bigod

Roger le Bigod

Isabel Dutton

Anne Margaret Touchet-----*married*-----Thomas Dutton
Eleanor (*Holland*) de Touchet John de Dutton
Edmund Holland Elizabeth (*le Boteler*) de Dutton
Thomas Holland Alicia (*de Plumpton*) le Boteler
Thomas Holland Christiana (*de Mowbray*) de Plumpton
Maud (*La Zouche*) Holland John de Mowbray
Alan La Zouche Rose (*de Clare*) Mowbray
Robert La Zouche Matilda de Lacey ---*married*-- Richard de Clare
Helen (*de Quincy*) La Zouche Margaret de Lacey Gilbert de Clare
Robert de Quincy (*brothers*) Roger de Quincy Richard de Clare
Saher Quincy Saher Quincy

Isabel de Dutton

Anne Margaret (*Touchet*) de Dutton
Eleanor (*Holland*) de Touchet
Edmund de Holland
Alice (*FitzAlan*) de Holland
Richard FitzAlan
Alice (*de Warenne*) FitzAlan
Joan (*de Vere*) de Warenne
Robert de Vere -----*married*-----Alice de Sanford
Hawice (*de Quincy*) de Vere Lorette (*de Quincy*) de Sanford
Saher de Quincy

As you have just read, Isabel's connections to Baron Saher de Quincy are multifaceted. In fact, she is a direct descendant of four of his children: Roger, Robert, Hawice, and Lorette.

Saher de Quincy

His children:

Roger	Robert	Hawice	Lorette
Margaret de Lacey	Helen La Zouche	Robert de Vere	¬ ⊢ Alice de Sanford
Matilda de Clare	Robert La Zouche	⊢ <i>their daughter</i>	
Rose Mowbray	Alan La Zouche	⊢ Joan de Warenne	
John de Mowbray	Maud Holland	⊢ Alice FitzAlan	
Christiana dePlumpton	Thomas Holland	⊢ Richard FitzAlan	
Alicia le Boteler	Thomas Holland	---¬ ⊢ ----Alice de Touchet	
Elizabeth de Dutton	⊢ Edmund Holland		
John de Dutton	⊢ Eleanor de Touchet		
Thomas de Dutton	---¬ ⊢ ---Anne Margaret de Dutton		

Isabel de Dutton

The line of descent from his daughters is only separated for a single generation before being joined in the person of Joan de Warenne. Her parents, Robert de Vere and Alice de Sanford, each being a child of one of the sisters, were first-cousins.

SO KNOW WE KNOW THE STORY IS TRUE.

Not only is the story true, but ISABEL was short-changed!

She is a descendant of a 9th Suretor for Magna Carta!

SIR WILLIAM DE MOWBRAY, 4th Baron Mowbray (c1173 – 1222)

Isabel descended from *nine* of the twenty-five Suretors for Magna Carta! William de Mowbray's ancestors hailed from the village of Saint Martin d'Aubigny in Normandy. That should sound familiar as the name d'Aubigny, interchangeable with d'Albini, is the surname another Baronial suretor ancestor of Isabel – William d'Albini. The Earl of Northumbria in 1085 was one of that family and he rebelled against the second Norman king William Rufus; he was imprisoned and all his lands were forfeited. His wife, Avice d'Arundale, obtained an annulment and managed to gain control of the much of the estate, bringing that windfall with her when she married the Earl's brother. This brother, Nigel, was a faithful supporter of Henry I and performed for him well in the military. For this service he was granted the lands seized from the Earl of Northumbria. Nigel is the great-grandfather of our subject William de Mowbray.



In 1197 he was one of the witnesses to the English treaty with Flanders. By 1215 William held two baronies, Mowbray and Thirsk. Described by one contemporary as being “short as a dwarf” he was one of the principals pressing for the creation of the Magna Carta. He remained in opposition after John had died for he was taken prisoner in 1217 at the Battle of Lincoln. By 1221 he was fighting for the King at the siege of Bytham Castle in Lincolnshire.

He married Alice, the daughter of William d'Aubigny, 3rd Earl of Arundale who was King John's favorite and William's 3rd-cousin. Their eldest son was Nigel who inherited the baronies but died without offspring in 1226. The estate passed to the next oldest brother Roger and it remained with this branch of the family for the next two centuries.

Isabel de Dutton

Thomas de Dutton

John de Dutton

Elizabeth de Dutton

Alicia le Boteler

Christiana de Plumpton

John de Mowbray

Roger de Mowbray

Roger de Mowbray

William de Mowbray

GENEALOGY

CHARTS FOR THE

ROYAL

ANCESTORS

Isabel Dutton directly descends (not through a son who was also king) from the following Kings:

PEDRO OF CASTILE AND LEÓN

ALFONSO VIII OF CASTILE

ISTVÁN V OF HUNGARY

DIARMAIT II MAC MURCHADA OF LEINSTER

CARLOS II OF NAPLES

ANDRÁS II OF HUNGARY

EDWARD III OF ENGLAND

HENRY III OF ENGLAND

JAUME I OF ARAGON

WILLIAM I OF SCOTLAND

PHILIPPE III OF FRANCE

HENRY II OF ENGLAND

LOUIS VII OF FRANCE

The Duttons probably wanted to impress someone but it's not the whole story. They all had Barons in their tree; how about Kings or Emperors? She descends from 13 and 2, respectively. But that is not the claim made; why?

This claim shows the Dutton family as being connected to the Baronial class. The Barons, as a group, usually opposed the reigning monarch in many things – taxes, defense, property, peasants, levies, courts, and inheritance laws are just a few of the areas of conflict. The Barons, as a class, wanted to keep their status and all the perquisites that came with being a Baron. These included reduced requirements to supply the King with soldiers and having a greater control over the soldiers you have, especially as it related to the King's needs. They successfully stopped overly long Royal campaigns, limiting the contribution required of their soldiers to just 4 weeks in the strongest of the Baron's years. The monarch could not deploy their soldiers anywhere out of the country without first obtaining the consent of the Baron. Keeping a military in the field is expensive and as many of the King's military endeavors, especially the ones on the continent, were seen to be of little benefit to the Barons, they were reticent to fund them. The ability to levy taxes and assessments by the King were powers the Barons liked to control and they wanted it stay that way.

The Barons jealousy guarded their right to tax those living on their property and opposed any attempt that would have the King tax the people directly. As it was, the Barons paid taxes for their subjects to the King and as time passed, the amount paid to the King decreased during times of weak royal authority as when the King was a minor. Any attempt to regain lost tax revenue by restoring earlier methods and levels of taxation by the King was bitterly opposed by the Baronial class. Any laws that would give more freedom to the peasant and serf classes were viewed as overstepping the King's prerogatives. They surely did not want any form of Royal courts because their own feudal Baronial courts provided the majority of their annual operating budgets for all of their land holdings, leaving the profits realized from those lands untouched. Royal courts cut into this income and reduced the profits for each Baron. The position of High Sheriff was by royal appointment and was one by which the King kept an eye on his unruly Barons; the powers of the High Sheriff were opposed not only for similar financial reasons but also because the King could order his appointee to harass any Baron he wanted to irritate. The appointed High Sheriff became a ceremonial position as the Barons secured the right to appoint the Deputy Sheriff – this was the officer responsible for enforcing the King's orders– as long as they did not harm the Baron.

This is the class that the Duttons wanted to be identified with – it was not just a happy coincidence that the capitalists of the late 19th century in the United States – Rockefeller, Carnegie, Vanderbilt, Mellon, Morgan & Shwab, Gould, Fisk & Flagler - were called Robber Barons. They really were medieval Barons reincarnate.

The charts that follow show the direct lineal connection between Isabel and the named Royal. The years given are the years the monarch reigned. Maiden names, if given, are shown in this manner: Isabel (*Dutton*) Southworth.

This, in turn, means that all the descendant^S of Isabel Dutton and Christopher de Southworth can rightfully claim descent from^M the same monarchs. Perhaps you will see your Dad's eyes or your Mom's smile in the depictions of the monarchs and now you can smile to yourself with that knowledge too – and maybe even brag a bit. You can always blame the tendency to brag on the Dutton family!

The people and the lines presented are only those in which a direct line is documented; there are no instances of Isabel being connected to Henry VII because a connection between Isabel and Henry VIII was established. However, she could be connected to both Henry VII & VIII if the connection to Henry VII was through someone other than Henry VIII.

In instances where Isabel is shown to be related to one king and through that king, is found to be related to another king, they are treated as separate connections if there are at least 3 generations between them and the country they ruled was not the same one.



1350 - 1366

Pedro 'the Just' of Castile and León

Isabel de Dutton

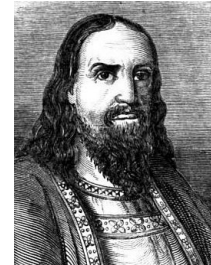
Anne Margaret (*Touchet*) Dutton

Eleanor (*de Holland*) Touchet

Constance (*de Langley*) Holland of York

Isabella of Castile

Edmund de Langley



1327 - 1377

Edward III of England

Isabel de Dutton

Anne Margaret (*Touchet*) de Dutton

Eleanor (*Holland*) de Touchet

Alice (*FitzAlan*) Holland

Eleanor (*Plantagenet*) FitzAlan

Henry Plantagenet

Blanche d'Artois

Robert I of Artois

Blanche of Castile



1158 - 1214

Alfonso VIII 'the Noble' of Castile



1216 - 1272

Isabel de Dutton

Anne Margaret (*Touchet*) de Dutton

Eleanor (*Holland*) de Touchet

Alice (*FitzAlan*) Holland

Eleanor (*Plantagenet*) FitzAlan

Henry Plantagenet

Edmund "Crouchback" Plantagenet

Henry III of England



1270 - 1272

Isabel de Dutton

Anne Margaret (*Touchet*) Dutton

Eleanor (*de Holland*) Touchet

Constance (*de Langley*) Holland of York

Edmund de Langley Plantagenet

Philippe de Hainaut

Joan de Valois

Margaret d'Anjou Charles de Valois

Mary of Hungary

Isabella d'Aragon

István V of Hungary

Jaume I 'the Conqueror' of Aragon



1213 - 1276



1126 - 1171

Isabel de Dutton

Anne Margaret (*Touchet*) Dutton

Thomas Touchet d'Audley

Margaret (*de Ros*) Touchet

William de Ros

Thomas de Ros

Margaret (*de Clare*) de Badlesmere

Gilbert de Clare

Richard de Clare

Isabella (*Marshal*) de Clare

Isabella (*de Clare*) Marshal

Aoife (*MacMurrough*) de Clare

Diarmait II Mac Murchada of Leinster

Isabel de Dutton

Anne Margaret (*de Audley*) de Dutton

Thomas Touchet de Audley

Margaret (*de Ros*) Touchet

William de Ros

Thomas de Ros

William de Ros

William de Ros

Robert de Ros

William de Ros

Isabel (*MacWilliam*) de Ros

William I '*the Lion*' of Scotland



1165 - 1214

Isabel de Dutton

Anne Margaret (*Touchet*) Dutton

Eleanor (*de Holland*) Touchet

Constance (*de Langley*) Holland

Edmund de Langley

Philippa de Hainaut

Joan of Valois

Margaret d'Anjou

Charles of Valois

Carlos II '*the Lame*' of Naples

Philippe III '*the Bold*' of France



1285 - 1309



1270 - 1285

Isabel de Dutton

Anne Margaret (*Touchet*) Dutton

Eleanor (*de Holland*) Touchet



1205 - 1235

Constance (*de Langley*) of York

Edmund de Langley

Philippe de Hainaut

Joan de Valois

Charles de Valois

Isabella d'Aragon

Yolande of Hungary

András II of Hungary

Edmund de Holland

Thomas de Holland

Thomas de Holland 1154 - 1189

Maud (*La Zouche*) de Holland

Ela (*de Longspée*) La Zouche

Stephen de Longspée

William de Longspée

Henry II of England



Isabel de Dutton

Anne Margaret (*Touchet*) Dutton

Eleanor (*de Holland*) Touchet

Constance (*de Langley*) Holland of York

Edmund de Langley Plantagenet

Philippa de Hainaut

William Avesnes de Hainaut

John Avesnes of Holland

John I Avesnes of Hainaut

Margaret de Flanders

Marie de Champagne

Marie de Ramnulfids

Louis VII of France



1137 - 1180

And what about those two Emperors?

Many if not most European Royal houses descend from the ROMAN EMPEROR CHARLEMAGNE. It's not surprising with the number of Kings she descends from that Isabel is a member of this club.



800 - 814

As for the second Emperor, a bit of background is required. The Fourth Crusade was a mess and when the dust settled, the Eastern Empire was gone and in its place was the Latin Empire. An Empire requires an Emperor or Empress. Looking around, crusading eyes fell on BAUDOIN from Flanders. He had experience – as the 9th Count of Flanders and the 6th Comte de Hainaut; and he was just 33 – promising a long, stable rule. He was crowned *BASILEUS ROMAION* BAUDOIN I on 6 May 1204. BALDWIN is one of the five-hundred-twelve (give or take a couple) 8th-great-grandfathers of ISABEL DUTTON. The descent is through BAUDOIN's daughter MARGARET, through 4 generations of AVESNES to reach PHILIPPA. She was CONSTANCE OF YORK's grandmother who was herself, ISABEL's great-grandmother. (See previous page for lineage)



1204 - 1205

So much for a long stable rule – BAUDOIN was captured by the Tsar of Bulgaria eleven months later and soon died in the Veliko Tarnovo *tsarevet* (fortress). Visitors today can visit *Baudoin's Tower* which has stood for ... well ... not nine centuries, but almost one century, it being a 1930 recreation! Medieval gossipers claimed that the Tsar used the Emperor's skull as a drinking goblet (a famously common and an early and novel form of recycling).

For more on the Kings and Emperors, I suggest the following:

James I 'The Conqueror', King of Aragon <https://www.youtube.com/watch?v=jOdJgZpyQ2Y&list=WL&index=10>

Baudouin I: "The Fourth Crusade: A Concise Overview for Students"

(https://www.youtube.com/watch?v=JVA4n73UBi0&list=PL_S4IK8uXzIW1vSo1V87ARan2Xz-kah2P&index=48&t=9s)

William 1 of Scotland: "The Xmas Eve King" <https://www.youtube.com/watch?v=TBsPWecQ74Q&list=WL&index=14>

King Henry I (1068-1135) <https://www.youtube.com/watch?v=K9Pb8ikzisE&list=WL&index=9>

Adeliza of Louvain, his wife "*Medieval Queens of England: Adeliza of Louvain*"

<https://www.youtube.com/watch?v=pmaVYqPtK9E&list=WL&index=17>

King Henry II (1133-1189) in 3 parts:

https://www.youtube.com/watch?v=-ZHen6A_rrw&list=WL&index=10,

<https://www.youtube.com/watch?v=a6uXB7aaJeQ&list=WL&index=14>,

<https://www.youtube.com/watch?v=TU4HG5skFCU&list=WL&index=15>

And of course, the classic "*The Lion in Winter*" <https://www.youtube.com/watch?v=Y5Tmr3Fwer4>

King Henry III (1207-1272) <https://www.youtube.com/watch?v=sUgy1BQpdfE&list=WL&index=10&t=0s>

King William II "Rufus" (1056-1100) <https://www.youtube.com/watch?v=OXvyPzpFBR8&list=WL&index=10>

King Stephen (1096-1154) <https://www.youtube.com/watch?v=sW3aDDuPhwY&list=WL&index=10>

ENDNOTES

¹ Complete Translation of the Magna Carta, Magna Carta (British Library Cotton MS Augustus II.106);

<https://www.magnacharta.com/bomc/complete-translation-of-the-magna-carta/>

Clauses marked (+) are still valid under the charter of 1225, but with a few minor amendments. In the charter itself the clauses are not numbered, and the text reads continuously.

² Professor Nigel Saul of the University of London, Baronial Order of Magna Carta; *The 25 Barons of Magna Carta, Magna Carta Trust*; <https://magnacarta800th.com/schools/biographies/the-25-barons-of-magna-carta/>.

³ Sir Bernard Burke, *The general armory of England, Scotland, Ireland, and Wales; comprising a registry of armorial bearings from the earliest to the present time*. (London: Harrison & Sons; 1884).

⁴ *Profiles of Magna Carta Sureties and Other Supporters*, Baronial Order of Magna Carta; <https://www.magnacharta.com/bomc/profiles-of-magna-charta-sureties-and-other-supporters/>

⁵ Elizabeth Chadwick, *Roger Bigod II* (2009), *Illuminating Hugh Bigod* (2010), and *Clothing the Bones: Finding Mahelt Marshal* (2008) on Living the History, <https://livingthehistoryelizabethchadwick.blogspot.com/>

Addendum to 3rd edition

A clarification

Magna Carta was to maintain the rights of "free men," i.e. the Baronial class over their serfs; the rights guaranteed within the charter were rights that the baronial class alone enjoyed. With over 80% of the population being serfs, its impact on 'the common man' was very limited. To further control the growing population of non-serfs inhabiting the towns, the barons developed the guild system by which all manufacturing was strictly controlled. The guilds set limits on what methods could be used to make everything, how many could be made, how much could be charged, and they had the right and means of enforcement. As the guilds became entrenched, there was a growing incentive to reduce the quality of all products coupled with decreasing the allowed amounts to be made resulting in higher prices for poor quality. Over 100 years after the sealing of the charter, its clauses had percolated down through society as it had been translated into English and, by law, had to be posted in every church. When the serfs became adept at using the clauses to further their rights, it came at the expense of the barons who resisted. Culminating in the Peasants Revolt of 1381. Though strictly a failure, the revolt sparked the end of feudal system, the very system the Barons had hoped to enshrine in law through forcing the charter on the king. The rural population began 'cottage industries' manufacturing everything at a better price and a much higher quality and this black market slowly destroyed the power of the guilds.

By 1300 the Great Charter had been translated into the vernacular English and, by law, was posted in every church. In this way, the population, though the majority remained illiterate became acquainted with the rights afforded their overlords as those who were literate read out the text to the masses. As the rights became familiar, the sentiment took hold that those same rights were not the rights of only free men, accounting for just 20% of the population, as specified in the charter, but rights for all men - free or not. Not universal rights however, black slaves and women did not share in having those rights.

The greatest knight, William Marshall

Isabel may also descend from *the greatest knight* William Marshall, son of John the Marshall, who most likely the same person mentioned at an earlier point in this text. If this is proven to be correct with additional research, the William Marshall Junior as found earlier is actually William Marshall.

The 25 mentioned did not represent one faction but includes representatives from the noble class with one of the king's representatives being William Marshall.

Maternal ancestors only

As illustrated on the following page, all of the baronial ancestors of Isabel come through her mother, Anne Margaret Touchet. While her maternal grandfather Thomas Touchet provided for two ancestral lines: *William I of Scotland* and *Dairmait II Mac Murchada of Leinster*, the remaining eleven lines pass through her maternal grandmother Eleanor de Holland.

13 Monarchs who were ancestors of Isabel Dutton in 4 Maternal lineages

Maternal 1

Isabel Dutton

Anne Margaret Touchet

Thomas Touchet

Margaret de Ros

William de Ros

Thomas de Ros

William de Ros

William de Ros

Robert de Ros

William de Ros

Isabel MacWilliam

William I of Scotland

Margaret de Clare

Gilbert de Clare

Richard de Clare

Isabel Marshall

Isabella de Clare

Aoife MacMurrough

Dairmait II Mac Murchada of Leinster

Maternal 2

Isabel Dutton

Anne Margaret Touchet

Eleanor Holland

Constance de Langley

Edmund de Langley

Edward III of England ----- Phillipa de Hainaut

Joan de Valois

Margaret d'Anjou ----- Charles de Valois

Mary of Hungary ---- **Carlos II of Naples**

Phillipe III of France ----- Isabella d'Aragona

István V of Hungary

Yolande of Hungary ---- **Jaume I d'Aragona**

András II of Hungary

Maternal 3

Isabel Dutton

Anne Margaret Touchet

Eleanor Holland

Constance de Langley

Isabella of Castile

Pedro of Castile & León

Maternal 4

Isabel Dutton

Anne Margaret Touchet

Eleanor Holland

Constance de Langley ----- Edmund de Holland

Edmund de Langley ----- Alice FitzAlan ----- Thomas de Holland

Philippa de Hainaut ----- Eleanor Plantagenet ----- Thomas de Holland

William de Hainaut ----- Henry Plantagenet ----- Maud La Zouche

Blanche d'Artois ----- John II Avesnes ----- Edmund Plantagenet ----- Ela de Longspée

Robert I d'Artois ----- John I Avesnes ----- **Henry III of England**

Blanche of Castile ----- Margaret de Flanders ----- Stephen de Longspée

Alfonso VIII of Castile ----- Marie de Champagne ----- William de Longspée

Marie de Ramnulfids

Louis VII of France

Henry II of England